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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

J. D. Westwood

Group Art Unit: 1753

Serial No.: 09/753,433

Examiner: Rodney Glenn McDonald

Filed: 01/02/2001

Atty Docket No.: SJO990037US1

For: METHOD OF MAKING NiFeCo-O-N OR  
NiFeCo-N FILMS FOR SHIELDS AND/  
OR POLES OF A MAGNETIC HEAD

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR 1.705(b)**

A fee for \$200.00 under 37 CFR 1.18(e) accompanies this application.

The patent term adjustment should be 233 days instead of 231 days as set forth in a "Notice of Allowance and Fee(s) Due" dated 12/11/2003.

The above identified patent application was filed 01/02/2001 and the first notification received by the Applicant was in the form of an Office Action mailed by the USPTO on 10/21/2002. After allowing for the 14 months grace period the first notification was 233 days late.

The above identified patent application is not subject to a terminal disclaimer and there are no circumstances instituting a failure to engage in reasonable effort to conclude processing or examination of the patent application under 37 CFR 1.704.

Should there be any questions regarding this document please contact the undersigned at 619-334-5883.

Respectfully submitted,

Ervin F. Johnston  
Reg. No. 20,190  
Telephone: (619) 334-5883  
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01/28/2004 SSANDAR1 00000016 090466 09753433  
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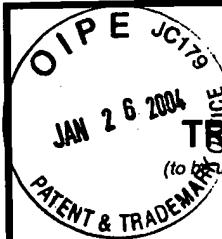
PTO/SB/21 REV 1 (12/97)

Approved for use through 09/30/2000. omb 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of

information unless it displays a valid OMB control number.



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3 + postcard

Application Number

09/753,433

Filing Date

01/02/2001

First Named Inventor

J. D. Westwood

Examiner Name

Rodney Glenn McDonald

Group Art Unit

1753

Attorney Docket Number

SJO990037US1

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
  - Fee Attached
  - Amendment/Response
  - After Final
  - Extension of Time Request
  - Request for Drawing Amendment
  - Information Disclosure Statement
    - PTO Form 1449
    - (no.) cited references
  - Certified Copy of Priority Document(s)
  - Response to Missing Parts/Incomplete Application
    - PTO Form 1533
    - Response to Missing Parts Under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition Checklist and Accompanying Petition
- To Convert a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Additional Enclosure(s) (please identify below):  
POSTCARD  
APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR 1.705(b)

### Remarks:

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name

Ervin F. Johnston  
Reg. No. 20190

Signature

Date

January 23, 2004

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: January 23, 2004

Typed or printed name

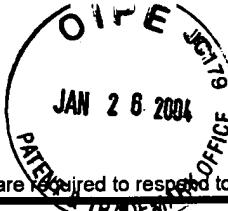
Ervin F. Johnston

Signature

Date

January 23, 2004

Please type a plus (+) sign inside this box -



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## FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective November 10, 1998.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12  
See 37 C.F.R. §§ 1.27 and 1.28

**TOTAL AMOUNT OF PAYMENT** (\$ 200.00)

Complete If Known	
Application Number	09/753,433
Filing Date	01/02/2001
First Named Inventor	Westwood
Examiner Name	Rodney Glenn McDonald
Group / Art Unit	1753
Attorney Docket No.	SJO990037US1

## METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 09-0466  
Deposit Account Name International Business Machines Corp.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance.  
37 CFR 1.311(b)

Payment Enclosed:

Check  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 750	201 375	Utility filing fee	
106 330	206 165	Design filing fee	
107 520	207 260	Plant filing fee	
108 750	208 375	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

### 2. EXTRA CLAIM FEES

Total Claims	- 20**	=	x 18	=	Fee Paid
Independent Claims					
Multiple Dependent Claims					

\*\* or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

3. ADDITIONAL FEES			
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for response within first month	
116 410	216 205	Extension for response within second month	
117 930	217 465	Extension for response within third month	
118 1,450	218 725	Extension for response within fourth month	
128 1,970	228 985	Extension for response within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive unavoidably abandoned application	
141 1,300	241 650	Petition to revive unintentionally abandoned application	
142 1,300	242 650	Utility issue fee (or reissue)	
143 470	243 235	Design issue fee	
144 630	315 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
126 180	126 180	Submission of Information Disclosure Stmt	
146 750	246 375	Filing a submission after final rejection (37 CFR 1.129(a))	
179 750	249 375	Request for continued examination (RCE) (37 CFR 1.114)	
Other fee (specify)	Application for Patent Term Adjustment	200.00	
Other fee (specify)			
SUBTOTAL (3) (\$)			200.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Typed or Printed Name

Ervin F. Johnston

## COMPLETE (if applicable)

Reg. Number

20,190

Signature

Date

January 23, 2004